

REMARKS

Claim Status

Claims 1-4, 6, 8-10, 12-15 and 17-20 are pending. Claims 1-4, 6, 8-10 and 17-20 stand rejected under 35 USC § 102. Claims 12, 13, and 15 stand rejected under 35 USC § 103. With this response, claim 1 is amended, and no claims are withdrawn, canceled, or added.

Double-Patenting Rejections

The Applicant notes the provisional nonstatutory double patenting rejections in the last Office Action. The Applicant presently intends to address these provisional rejections if and when they become nonprovisional.

Rejections Under 35 USC § 102 Over Dobrin et al.

Claims 1-4, 6, 8-10 and 17-20 stand rejected under 35 USC § 102(b) as being unpatentable over Dobrin et al. (US 5,571,096). The Applicant does not admit that any characterization by the Office Action regarding these rejections is correct, but discusses such characterizations herein for the sake of argument. The Applicant traverses the rejections of the pending claims under 35 USC § 102 over the Dobrin reference for the reasons discussed below.

Independent claim 1 as currently amended, recites in part a “unitary disposable absorbent article, comprising...a liquid impermeable backsheet...having: a laterally central region, a first backsheet zone disposed within the laterally central region with a first particular basis weight, and a second backsheet zone, disposed within the laterally central region and longitudinally outboard from the first backsheet zone, with a second particular basis weight that is less than the first particular basis weight.” Support for the current amendments can be found at least on page 3, lines 5-6 and page 12, lines 24-26, of the application as originally filed.

The last Office Action cited an embodiment of the Dobrin reference against the above-cited portion of the Applicant’s claim 1. In particular, the Office Action cited a crotch region 48 of a diaper 20 of the Dobrin reference against the claimed first backsheet zone, and cited a front waist region 46 of the diaper 20 against the claimed second backsheet zone. (Page 4.) The Office Action stated that “Dobrin teaches that....the

unperforated portion (82) of the backsheet (26) has a greater basis weight and density than the perforated portions (80). First backsheet zone (46) has a much larger area that is perforated than second backsheet zone.” (Page 5, paragraph 1.)

The Applicant submits that Dobrin reference does not disclose a second backsheet zone of relatively lower basis weight disposed within a laterally central region of a backsheet, as described in the Applicant’s claim 1. Instead, the Dobrin reference discloses that “The non-apertured zone 82 preferably comprises the central region 74 of the backsheet 26” (col. 7, lines 44-45) and that “The apertured zone(s) 80 preferably comprise at least a portion of the outer region 76 of the backsheet 26 and preferably extend laterally outward from the central region 74 of the backsheet 26” (col. 8, lines 42-25).

Since the apertured zones 80 of the Dobrin reference are outside of the central region 74 of the backsheet 26, the apertured zones 80 cannot be considered part of a second backsheet zone “disposed within the central region.” Since the apertured zones cannot be considered part of a second backsheet zone, the Dobrin reference does not appear to disclose a second backsheet zone with “a second particular basis weight that is less than the first particular basis weight” as recited in part in the Applicant’s independent claim 1.

Thus, the Dobrin reference does not disclose each and every element of the Applicant’s independent claim 1. As a result, the Dobrin reference does not anticipate claim 1, or any of claims 2-4, 6, 8-10 and 17-20, which depend therefrom. Therefore, the Applicant respectfully requests withdrawal of the § 102 rejections and allowance of these claims.

Rejections Under 35 USC § 103 Over Dobrin

Claims 12, 13, and 15 stand rejected under 35 USC § 103(a) as being unpatentable over Dobrin et al. (US 5,571,096). The Applicant does not admit that any characterization by the Office Action regarding these rejections is correct, but discusses such characterizations herein for the sake of argument. The Applicant traverses the rejections of the pending claims under 35 USC § 103 over the Dobrin reference for the reasons discussed below.

As described above, the Dobrin reference does not appear to disclose a “unitary disposable absorbent article, comprising...a liquid impermeable backsheet...having: a laterally central region, a first backsheet zone disposed within the laterally central region with a first particular basis weight, and a second backsheet zone, disposed within the laterally central region and longitudinally outboard from the first backsheet zone, with a second particular basis weight that is less than the first particular basis weight” as recited in part in the Applicant’s independent claim 1.

Further, from the Applicant’s review, the Dobrin reference does not appear to describe, teach, or suggest the above-cited portion of the Applicant’s claim 1. For this reason the Applicant submits that the Dobrin reference, does not describe, teach, or suggest each and every element of the Applicant’s independent claim 1. As a result, the Applicant’s independent claim 1 would not have been obvious to one of ordinary skill in the art at the time the invention was made. Therefore, the Applicant respectfully requests withdrawal of the § 103 rejections for claims 12, 13, and 15, which depend from independent claim 1.


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Conclusion

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the cited references. Accordingly, the Applicant respectfully requests reconsideration of this application and allowance of the pending claims.

Respectfully submitted,

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